

Filings Inventory – US v. Hamdan

As of 1100 hours, 6 February 2008

This Filings Inventory includes only those matters filed since 1 March 2007.

Dates in red indicate due dates

Prosecution (P Designations)

Name	Motion Filed	Response	Reply	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. R=Reference	AE
P 001: Motion to Reconsider (Dismissal Order)				• See Inactive Section	
P 002: MCRE 505 Review Request				• See Inactive Section	
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Defense (D Designations)

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 001: Motion to Dismiss for Lack of Jurisdiction (CSRT)				• See Inactive Section	
D 002: Request for Special Relief to Extend Continuance Deadline				• See Inactive Section	
D 003: Request for Continuance				• See Inactive Section	
D 004: Defense Motion for Article 5 Status Determination, or, Alternately, Dismissal for Lack of Personal Jurisdiction				• See Inactive Section	
D 005: R.M.C. 802 Request re Production of Witnesses				• See inactive section	
D 006: Request for Continuance				• See inactive section	
D 007: Defense Motion to Compel Access to Potential Witnesses				• See inactive section	
D 008: Defense Motion for Compelling Testimonial Immunity				• See inactive section	
D 009: Defense Motion to Compel Production of Witnesses				• See inactive section	
D 010: Defense Motion to Dismiss (prima facie jurisdiction)				• See inactive section	

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 011: Motion to Compel Access to High Value Detainees (Related to but Separate from D-007)	13 Dec 07	11 Jan 08	25 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros email dtd 14 Dec 07 suggesting issue controlled by D 007 • B. MJ email 17 Dec 07 direction Pros to determine obstacles to Def access • C. Pros email dtd 18 Jan 07 indicating receipt of MJ orders, but continued opposition • D. Pros email dtd 20 Jan 07 requesting suspense date 11 Jan 08 for filing Response to Motion • E. Pros Resp dtd 11 Jan 08 • F. Def Email dtd 14 Jan 08 requesting reply date suspense delayed NLT 25 Jan 08 • G. MJ email dtd 15 Jan 08 granting reply delay to 25 Jan 08 • H. Defense Reply dtd 25 Jan 08 • I. Defense Reply dtd 5 Feb 08 (CORRECTED and replacing Reply dtd 25 Jan 08) 	
D 012: Motion to Dismiss for Lack of Subject Matter Jurisdiction Over Ex Post Facto Charges	9 Jan 08	23 Jan 08	30 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Reply Filed 	OR – 088 A – 093 B - 098
D 013: Defense Motion for Order Implementing Requirements of the Fourth Geneva Convention	9 Jan 08	23 Jan 08	30 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Reply Filed 	OR – 089 A – 094 B - 099
D 014: Defense Motion to Dismiss Charges for Multiplicity and Unreasonable Multiplication of Charges	9 Jan 08	23 Jan 08	30 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Reply Filed 	OR – 090 A – 095 B - 100

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 015: Defense Motion to Dismiss Specifications based on Combatant Immunity	9 Jan 08	23 Jan 08	30 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Reply Filed 	OR – 091 A – 096 B - 101
D 016: Defense Motion to Dismiss Specification 1 of Charge 1 and Specifications 1, 2, 5, 6, 7 and 8 of Charge 2 for Lack of Subject Matter Jurisdiction as a Matter of Res Judicata	9 Jan 08	23 Jan 08	30 Jan 08	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Reply Filed 	OR – 092 A – 097 B - 102
D 017: Defense Motion to Compel Production (Report into Prosecutorial Misconduct) and Special Request for Relief	2 Feb 08	TBD	TBD	<ul style="list-style-type: none"> • Motion Filed 	OR – 104
D 018: Defense Motion to Compel Production (Names and Contact Information) and Special Request for Relief	1 Feb 08	TBD	TBD	<ul style="list-style-type: none"> • Motion Filed 	OR – 105
D 019: Defense Motion for Relief from Punitive Conditions of Confinement and Special Request for Relief	1 Feb 08	TBD	TBD	<ul style="list-style-type: none"> • Motion Filed 	OR – 106
D 020: Defense Motion to Compel Production of Records of Confinement, and Special Request for Relief	4 Feb 08	TBD	TBD	<ul style="list-style-type: none"> • Motion Filed 	OR – 107

MJ Designations

Designation Name (MJ)	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
MJ 001: Detail of Military Judge, and Scheduling of First Session	<ul style="list-style-type: none"> • See Inactive Section 	
MJ 002: Voir Dire	<ul style="list-style-type: none"> • See Inactive Section 	
MJ 003: Rules of Court	<ul style="list-style-type: none"> • See Inactive Section 	
MJ 004: Motion by Press Petitioners for Public Access to Proceedings and Records	<ul style="list-style-type: none"> • Motion by Press Petitioners, dtd 21 Nov 07 • A. MJ email dtd 26 Jun 07 directing parties to provide their positions on how the Commission should treat and respond to the Motion by Press Petitioners • B. Government Response, dtd 29 Nov 07 • C. Defense Response, dtd 30 Nov 	OR – 048 A – 048 B – 048 C – 048
MJ 005: Scheduling of Second Session and Special Instructions	<ul style="list-style-type: none"> • See Inactive Section 	
MJ: 006: Trial Schedule	<ul style="list-style-type: none"> • See Inactive Section 	

PROTECTIVE ORDERS

Pro Ord #	Designation when signed	Signed Pages	Date	Topic	AE
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Inactive Section

Prosecution (P Designations)

Name	Motion Filed	Response	Reply	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
P 001: Motion to Reconsider (Dismissal Order)	1929hr 08 June 07	20 June 07	26 June 07	<ul style="list-style-type: none"> • Prosecution Motion to Reconsider (Dismissal Order) • A. Def Resp dtd 20 Jun 07 • B. Pros Reply dtd 26 Jun 07 • C. C – MJ invite supp briefs on UEC meaning – compare MCA to CSRT, dtd 6 Aug 07 • D. Def Supp Brief Leg Hist, dtd 17 Aug 07 • E. Gov Supp Brief Leg Hist, dtd 17 Aug 07 • F. Def Reply to Gov Supp Brief Leg Hist, dtd 24 Aug 07 • G. Gov Reply to Def Supp Brief Leg His, dtd 24 Aug 07 • H. Def Special Request to Submit Post CMCR (Khadr) Ruling Supplemental Brief, dtd 27 Sep 07 • I. Def Post CMCR (Khadr) Supp Brief, dtd 1 Oct 07 • J. Gov Resp to Def Post CMCR (Khadr) Supp Brief, dtd 2 Oct 07 • K. MJ Ruling on Motion to Reconsider, dtd 17 Oct 07 • L. MJ email Initial Notice of Hearing Post Reconsideration of Motion to Dismiss 	OR - 023 A – 024 B - 025 C – 026 D - 027 E – 028 F – 029 G – 030 H – 031 I – 032 J – 033 K – 034 L – 041

Name	Motion Filed	Response	Reply	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
P 001: (Continued)	1929hr 08 June 07	20 June 07	26 June 07	<ul style="list-style-type: none"> •M. MJ email Amending Order dtd 13 Nov 07 •N. Def email dtd 15 Nov 07 requesting Clarification of MJ Amended Order •O. MJ email dtd 15 Nov 07 Clarifying Amended Order •P. MJ Ruling dtd 19 Dec 08 finding Hamdan an Unlawful Enemy Combatant 	M – 041 N – 041 P - 084
P 002: MCRE 505 Review Request				<ul style="list-style-type: none"> •Pros email dtd 1 Dec 07 notifying MJ of intent to file matters in camera and ex parte under R.M.C. 505e •A. Def memo dtd 13 Dec 07 memorializing understanding of the parties with respect to the classified document 	OR – 086 A - 086

Inactive Section

Defense (D Designations)

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 001: Motion to Dismiss for Lack of Jurisdiction (CSRT)	18 May 07	2018 hr 25 May 07	1 June 07	<ul style="list-style-type: none"> • Defense Motion to Dismiss for Lack of Jurisdiction • A. Attachment B [REDACTED] • B. Government Response to Defense Motion to Dismiss.) • C. Defense Reply, dtd 1 Jun 07 • D. MJ Ruling, dtd 4 Jun 07 • E. MJ Corrected Order, dtd 4 Jun 07 • F. Clerk of Court email, dtd 30 Nov 07, containing Amicus Brief filed by Duke Guantanamo Defense Clinic • G. MJ Ruling dtd 19 Dec 07 reversing decision to dismiss for lack of jurisdiction 	OR – 008 A - 009 B – 010 C – 013 D – 021 E – 022 F – 049 G - 084
D 002: Request for Special Relief to Extend Continuance Deadline	14 May 07			<ul style="list-style-type: none"> • Defense Special Request for Relief to Extend Continuance Request Deadline from 17 May 07 to 24 May 07 • A. Granted by MJ 15 May 07 	(None) (None)
D 003: Request for Continuance	22 Oct 07	23 Oct 07		<ul style="list-style-type: none"> • Defense Request for Continuance until 29 Nov 07 • A. Government Response to Defense Request for Continuance, dtd 23 Oct 07 	OR – 038 A – 038

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 003: Continued	22 Oct 07	23 Oct 07		<ul style="list-style-type: none"> • B. MJ email Granting extension until 5 Dec 07 	B - 038
D 004: Defense Motion for Article 5 Status Determination, or, Alternately, Dismissal for Lack of Personal Jurisdiction	20 Nov 07	27 Nov 07	30 Nov 07	<ul style="list-style-type: none"> • Defense Motion, dtd 20 Nov 07 • A. Gov Resp, dtd 27 Nov 07 • B. Def Reply, dtd 30 Nov 07 • C. MJ ruling dtd 17 Dec 07 Granting Article 5 Determination 	OR – 042 A – 043 B – 047 C - 081
D 005: R.M.C. 802 Request re Production of Witnesses	29 Nov 07			<ul style="list-style-type: none"> • R.M.C. 802 Request re Production of Witnesses, dtd 29 Nov 07 • A. MJ email requesting admin information on R.M.C. 802 hearing and agenda, dtd 29 Nov 07 • B. Defense email with proposed agenda of R.M.C. 802 hearing and admin data, dtd 29 Nov 07 • C. Defense email with attachments to proposed agenda, dtd 29 Nov 07 • D. Defense email with additional attachment to proposed agenda for R.M.C. 802 hearing, dtd 30 Nov 07 • E. MJ email declining to hold R.M.C. 802 hearing on issues in which he can not rule, dtd 30 Nov 07 	OR – 050 A – 050 B – 050 C – 050 D – 050 E - 050
D 006: Request for Continuance				<ul style="list-style-type: none"> • Defense request for Continuance due to production of witnesses issues, dtd 30 Nov 07 • A. Prosecution email containing proposed trial schedule, dtd 30 Nov 07 • B. Defense email containing proposed trial schedule, dtd 30 Nov 07 	OR – 051 A – 051 B – 051

Designation Name	Motion Filed / Attachs	Response Filed / Attachs	Reply Filed / Attachs	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
D 006: (Continued)				<ul style="list-style-type: none"> • C. MJ ruling denying Defense Motion to Continue, dtd 30 Nov 07 	C - 051
D 007: Defense Motion to Compel Access to Potential Witnesses	4 Dec 07	See ROT 5 and 6 Dec 08		<ul style="list-style-type: none"> • Motion Filed • A. MJ Ruling dtd 7 Dec 07 	OR – 053 A - 079
D 008: Defense Motion for Compelling Testimonial Immunity	4 Dec 07	See ROT 5 and 6 Dec 08		<ul style="list-style-type: none"> • Motion Filed • A. Def email dtd 11 Dec 07 Requesting withdrawal of motion • B. MJ email dtd 17 Dec 07 Granting Withdrawal of Motion 	OR – 054 A – 085 B - 085
D 009: Defense Motion to Compel Production of Witnesses	4 Dec 07	See ROT 5 and 6 Dec 08		<ul style="list-style-type: none"> • Motion Filed • A. MJ Ruling dtd 7 Dec 07 	OR – 055 A - 079
D 010: Defense Motion to Dismiss (prima facie jurisdiction)	5 Dec 07	13 Dec 07	17 Dec 07	<ul style="list-style-type: none"> • Motion Filed • A. Pros response • B. Def reply • C. MJ ruling on 5 Feb 08 	OR – 056 A – 082 B – 083 C - 108
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Inactive Section

MJ Designations

Designation Name (MJ)	Status /Disposition/Notes OR = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
MJ 001: Detail of Military Judge, and Scheduling of First Session	<ul style="list-style-type: none"> • Sent to all parties 11 May 07 w/arraignment date of 4 Jun 07 • A. MJ ruling on 27 Apr - arraignment on 4 Jun 07 email instructions to parties setting 802 session for 1900, 3 Jun 07 and arraignment for 1300, 4 Jun 07 	OR - 005 (None)
MJ 002: Voir Dire	<ul style="list-style-type: none"> • MJ sent bio and Matters re Voir Dire 11 May 07 directing questions be submitted by 23 May 07 • A. Voir dire submitted by defense on 29 May 07 with request for leave to file late • B. (No voir dire submitted by prosecution) • C. MJ responses to voir dire submitted by defense and request for late filing granted 	OR -005 A - 012 (None) C - 012
MJ 003: Rules of Court	<ul style="list-style-type: none"> • Sent to all parties 11 May 07 • A. Change 1 sent to all parties 11 Oct 07 • B. Change 2 sent to all parties 2 Nov 07 	OR - 005 A – (None) B - 039

Designation Name (MJ)	Status /Disposition/Notes 0R = First (original) filing in series Letter indicates filings submitted after initial filing in the series. Ref=Reference	AE
MJ 005: Scheduling of Second Session and Special Instructions	<ul style="list-style-type: none"> • Sent to all parties 18 Oct 07 w/hearing date 9 Nov 07 • A. MJ email dtd 24 Oct 07 granting continuance and rescheduling hearing to 5 Dec 07 • B. Defense email containing evidentiary disclosures dtd 28 Nov 07 • C. Prosecution emails containing evidentiary disclosure exhibits dtd 28 Nov 07 (two videos on disk maintained by Court Reporter) • D. Prosecution disclosure exhibits [REDACTED] 	OR – 038 A – 038 B – 044 C – 045 D - 046
MJ: 006: Trial Schedule	<ul style="list-style-type: none"> • MJ email dtd 13 Dec 07 with proposed trial schedule • A. Def Resp dtd 17 Dec 07 • B. Pros Resp dtd 18 Dec 07 in opposition of continuance • C. Def email dtd 20 Dec 07 requesting clarification of Motions deadline • D. MJ email dtd 20 Dec 07 clarifying deadlines • E. MJ email dtd 20 Dec 07 publishing trial schedule 	OR – 087 A – 087 B – 087 C – 087 D – 087 E - 087